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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3282

AN ORDINANCE reclassifying property located at 12020 S.E. 32nd Street upon application of D & K Investments.

WHEREAS, an application for reclassification of the property hereinafter described was duly filed with the appropriate City officials; and

WHEREAS, on April 14, 1983, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on May 20, 1983, the Hearing Examiner recommended to the City Council approval with conditions of said reclassification of said property located at 12020 S.E. 32nd Street from R-1 to LI, and has made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest will be served by reclassifying said property; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter, as set forth in "Findings and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of D & K Investments for a Reclassification, File No. HE-A 79-47."

Section 2. The use classification of the following described property is changed from R-1 to LI with conditions:

Parcel A

That portion of the west half of the southeast quarter of the northwest quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, lying easterly of the Northern Pacific Railroad right-of-way and southerly and

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westerly of Primary State Highway No. 1, as conveyed to the State of Washington by deed recorded under recording number 5041195, and except that portion thereof condemned in King County Superior Court Cause No. 663661 for road, and except that portion thereof lying southerly of the northerly line of County Road No. 1079.

Parcel B

That portion of the southeast quarter of the southeast quarter of the northwest quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, lying southwesterly of a line drawn parallel with and 75 feet southwesterly, when measured radially and/or at right angles from the right-of-way center line survey of Secondary State Highway No. 2-A Kenndale to Bellevue, Section 1, except the south 224 feet thereof, and except that portion thereof deeded to the State of Washington for Primary State Highway No. 1, by deed recorded under recording number 5041195, and except that portion thereof condemned in King County Superior Court Cause Number 663661 for road; and

That portion of the west half of the southeast quarter of the NW 1/4 of Section 9, Township 24 North, Range 5 East, W.M. in King County, Washington, lying easterly of a line parallel to and 16.6' easterly of the centerline of the Burlington Northern Railroad right of way and from a point 30' north of the centerline of the Henry Bock Road to a point 1116.98' North of the centerline of the Henry Bock Road, and west of the easterly line of said railroad right-of-way.

This reclassification from R-1 to LI is conditioned on full compliance by the owners of said property and their heirs, assigns, grantees, and successors in interest with the terms and conditions of that certain

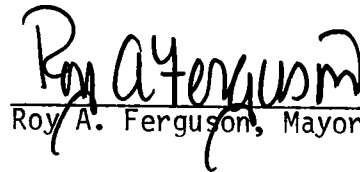
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Concomitant Zoning Agreement executed by D & K Investments, which has been given Clerk's Receiving No. 8611 and which is adopted by reference into this ordinance as though it were fully set forth herein.

Section 3. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

PASSED by the City Council this 15th day of August, 1983, and signed in authentication of its passage this 15th day of August, 1983.

(SEAL)



Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published August 20, 1983